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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ERIC BERAN
and MICHAEL FRUERGAARD PONTOPPIDAN

Appeal 2009-007677
Application 10/822,444
Technology Center 2100

Before LANCE LEONARD BARRY, HOWARD B. BLANKENSHIP, and
JEAN R. HOMERE, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-31, which are all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Invention

Appellants' invention relates to a method of constructing a representation of an object having at least one property. The method includes identifying at least one property group associated with the object which has been chosen to represent the object. At least one property of the object belongs to each property group identified as being associated with the object. The method further includes identifying any other object that the object references within a property of an identified property group. An object representation engine retrieves data corresponding to each of the properties belonging to the at least one property group. The engine then represents the object using the retrieved data. Abstract.

Representative Claim

1. A method of constructing a representation of an object having at least one property, the method comprising:

identifying at least one property group associated with the object which has been chosen to represent the object, at least one property of the object belonging to each property group associated with the object;

identifying any other object that the object references within a property of an identified property group;

retrieving data corresponding to each of the properties belonging to the at least one property group;

storing the retrieved data on a tangible computer storage medium; and

representing the object by using the retrieved data to generate a user interface.

Examiner's Rejection

Claims 1-31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Chang (US 5,627,979).

Claim Grouping

In view of Appellants' arguments in the Appeal Brief, we will decide the appeal on the basis of claim 1. *See* 37 C.F.R. § 41.37(c)(1)(vii).

ISSUE

Have Appellants shown that the Examiner erred in finding that Chang anticipates claim 1?

FINDINGS OF FACT

We rely on the findings of fact made by the Examiner in the Final Rejection and the Examiner's Answer.

PRINCIPLES OF LAW

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as

in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

ANALYSIS

Appellants contend that the name of a table does not describe a property group as recited in claim 1. Br. 7. The Examiner finds that the employee table described by Chang, which is an object, contains several properties such as a name and associated classes. Ans. 9. Appellants have not demonstrated error in the Examiner’s finding.

Appellants contend that salary employee 1920 and regular employee 1930 as shown in Figure 19 of Chang are two classes, not two properties. Br. 7. The Examiner finds that these two classes are properties of the employee table. Ans. 9-10. We agree with the Examiner.

Appellants contend that mapping an employee table to a person class as shown in Figure 16 of Chang does not describe “identifying any other object that the object references within a property of an identified group.” In particular, Appellants contend that it is inconsistent to consider classes to which a table is mapped to be both properties of a property group and objects referenced within a property of an identified property group. Br. 7-8. The Examiner finds that classes to which a table is mapped can be both properties of a property group and objects referenced within a property. Ans. 10-11. We agree with the Examiner.

Appellants contend that Chang does not describe the “retrieving data” and “representing the object” limitations of claim 1. Br. 8-9. The Examiner finds that Chang describes icons representing tables can be displayed by a pulldown menu selection process, which is “retrieving data” within the

meaning of claim 1. The Examiner further finds that the employee table name and icon of Chang describes “representing the object” within the meaning of claim 1. Ans. 11. We agree with the Examiner.

We sustain the rejection of claims 1-10 under 35 U.S.C. § 102(b).

Appellants have not provided arguments for separate patentability of claims 11-31. Instead, Appellants quote the Examiner’s Final Rejection, quote language from independent claims 11 and 22, and allege that Chang does not anticipate these claims based on the asserted lack of the reference teaching “property groups.” Br. 9-12. The Examiner finds that Appellants have not addressed the merits of the rejection. Ans. 12-13. We agree with the Examiner. In any event, to the extent that Appellants’ remarks could be considered arguments for separate patentability, we are not persuaded of error in the Examiner’s finding that Chang anticipates that which is claimed.

We sustain the rejection of claims 11-31 under 35 U.S.C. § 102(b).

CONCLUSION OF LAW

Appellants have not shown that the Examiner erred in finding that Chang anticipates claim 1.

DECISION

The rejection of claims 1-31 under 35 U.S.C. § 102(b) as being anticipated by Chang is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

Appeal 2009-007677
Application 10/822,444

AFFIRMED

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